

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

CARLSON PET PRODUCTS, INC.,

Case No. 17-CV-02529 (NEB/KMM)

Plaintiff,

v.

ORDER

NORTH STATES INDUSTRIES, INC.,

Defendant.

This matter is before the Court on the appeal filed by plaintiff Carlson Pet Products, Inc. (“Carlson”) [ECF No. 89] of United States Magistrate Judge Katherine M. Menendez’s July 22, 2019 Protective Order [ECF No. 86], and particularly the imposition of a patent prosecution bar as a part of that order. [See ECF Nos. 80, 84.]

Review of a magistrate judge’s ruling on a nondispositive issue is “extremely deferential.” *Scott v. United States*, 552 F. Supp. 2d 917, 919 (D. Minn. 2008). A district court will reverse a magistrate judge’s ruling on nondispositive pretrial matters only if it is “clearly erroneous or contrary to law.” 28 U.S.C. § 636(b)(1)(A); *see also* Fed. R. Civ. P. 72(a). “A finding is ‘clearly erroneous’ when, although there is evidence to support it, the reviewing court on the entire record is left with the definite and firm conviction that a mistake has been committed.” *Edeh v. Equifax Info. Servs., LLC*, 295 F.R.D. 219, 233 (D. Minn. 2013) (quoting *United States v. U.S. Gypsum Co.*, 333 U.S. 364, 395 (1948)). “A decision is ‘contrary to law’ when it ‘fails to apply or misapplies relevant statutes, case

law or rules of procedure.” *Knutson v. Blue Cross & Blue Shield of Minn.*, 254 F.R.D. 553, 556 (D. Minn. 2008) (quoting *Transamerica Life Ins. Co. v. Lincoln Nat’l Life Ins. Co.*, 592 F.Supp.2d 1087, 1093 (N.D. Iowa 2008)). The Court has reviewed Carlson’s objections thoroughly and finds nothing in Magistrate Judge Menendez’s order to be clearly erroneous or contrary to law.

CONCLUSION

Based on the foregoing and on all the files, records, and proceedings herein, IT IS HEREBY ORDERED that the magistrate judge’s July 22, 2019 Protective Order [ECF No. 86] is AFFIRMED.

Dated: September 19, 2019

BY THE COURT:

s/Nancy E. Brasel
Nancy E. Brasel
United States District Judge